

EXHIBIT A

Evidence of Copying

Bass Line

Ferrara Transcription

0:01

LGIO

0:00

TOL

Graphic Representation of Basic Bass Line																
Beat	1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	D			F#					G			A		A		
TOL	D			F#					G			A		A		

Stewart Comparison

LGIO

1 3 3 4 5 5 5 6

TOL

1 3 4 5 5 5 6

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying –bass line

Ferrara transcription (x's are "ghosted" or scratched notes providing rhythm but no pitch)

At 0:00

AB notes
circled in blue
at end of
phrase

Graphic Representation

Beat	1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	D			F#					G			A		A		AB
TOL	D			F#					G			A		A	AB	

"Let's Get It On"

LGIO

"Thinking Out Loud"

TOL

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying

Bass Line

One remaining detail – note circled in green

LGIO 1 3 3 3 4 5 5 5 6

TOL guitar

bass 1 3 3 3 4 5 5 5 6

“Let’s Get It On”

LGIO 1 3 3 3 4 5 5 5 6

“Thinking Out Loud”

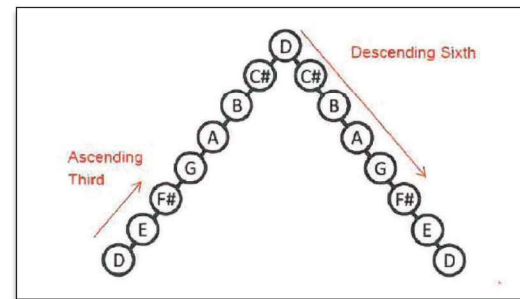
TOL 1 3 3 3 4 5 5 5 6

Guitar

Evidence of Copying

Bass Line

1. In the “kitchen demo” of TOL, which according to the composer, Mr. Sheeran, is the first recording of TOL, the descending sixth is heard throughout, or 34 times. The ascending third is not heard a single time.
 - The X Acoustic version follows a similar format.
 - As fully explained in my previous report, if Sheeran had wanted an ascending third he could have easily used “drop D” tuning, a form of scordatura (alternate tunings) that has a long history in classical and popular music. Sheeran uses a drop D tuning in “Photograph” see <https://www.youtube.com/watch?v=53uEE1-2CD8>.



The image shows two musical staves. The top staff is labeled "LGIO" and the bottom staff is labeled "TOL". Both are in 4/4 time. The notes are D, C#, B, A, G, F#, E, D. Fingerings are indicated above the notes: 1, 3, 3, 4, 5, 5, 5, 6 for LGIO and 1, 3, 4, 5, 5, 5, 6 for TOL.

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12; Ex. 125

Evidence of Copying

- The important elements of the drum parts in LGIO and TOL are the same. The bass drum or “kick” is played on “one” with two syncopations or off-beat figures on the “and” of two and the “and” of three, with an accented snare (or backbeat) on two and four yielding the following rhythm: **ONE-and-TWO-AND-three-AND-FOUR-and-ONE-and-TWO-AND-three-AND-FOUR-and.** The following chart graphically represents the basic drum parts from both songs:
- After the first measure, the hi hat is generally sounded on every eighth-note in LGIO.

		1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	hh	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	o
	sn			X				X				X				X	
	bd	X			X		X	X		X			X		X	X	
TOL	hh	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x?
	sn			X				X				X				X	
	bd	X			X		X			X			X		X		

Ferrara January 12, 2018 Report, Pgs. 24-26; Stewart Report December 12, 2018 Report, Pgs. 5-7; Stewart Declaration, September 7, 2018, Pgs. 13-15

Evidence of Copying

		1	+	2	+	3	+	4	+	1	+	2	+	3	+	4	+
LGIO	hh	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	o
	sn			X				X				X				X	
	bd	X			X		X	X		X			X		X	X	
TOL	hh	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x?
	sn			X				X				X				X	
	bd	X			X		X			X			X		X		

“Let’s Get It On”

“Thinking Out Loud”

Ferrara January 12, 2018 Report, Pgs. 24-26; Stewart Report December 12, 2018 Report, Pgs. 5-7; Stewart Declaration, September 7, 2018, Pgs. 13-15

Evidence of Copying

Bass Line

Additional syncopated note

"Let's Get It On"

LGIO



1 3 3 3 4 5 5 5 6

The image shows a musical staff in bass clef with a key signature of one sharp (F#) and a time signature of 4/4. The melody starts on the first line (F#4), followed by a quarter rest, then an eighth note (F#4), a quarter note (F#4), and a quarter note (F#4). This is followed by a quarter rest, then an eighth note (F#4), a quarter note (F#4), and a quarter note (F#4). The final measure contains an eighth note (F#4), a quarter note (F#4), and a quarter note (F#4). The notes are marked with red fingering numbers: 1, 3, 3, 3, 4, 5, 5, 5, 6.

"Thinking Out Loud"

TOL



1 3 3 4 5 5 5 6

The image shows a musical staff in treble clef with a key signature of one sharp (F#) and a time signature of 4/4. The melody starts on the first line (F#4), followed by a quarter rest, then an eighth note (F#4), a quarter note (F#4), and a quarter note (F#4). This is followed by a quarter rest, then an eighth note (F#4), a quarter note (F#4), and a quarter note (F#4). The final measure contains an eighth note (F#4), a quarter note (F#4), and a quarter note (F#4). The notes are marked with red fingering numbers: 1, 3, 3, 4, 5, 5, 5, 6.

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12

Evidence of Copying

Bass Line

Additional syncopated notes in Bass/Guitar Lines (LGIO mm 9-10 & TOL mm 3-4, 5-6, also “kitchen” demo)

Another important similarity in LGO and TOL is the presence of syncopated notes in the bass melodies in addition to the “3” and “5” which are anticipated with the second and fourth chords. In my report at pgs. 4-5, the reference to important qualities in LGO and TOL included “anticipation of 3 and 5” as well “syncopation” because these are separate creative qualities of the works. In LGO and TOL, the notes circled below are syncopated (off the beat) in addition the anticipated “3” and “5.” Once again the arrows indicate the harmonic rhythm and implied bass line in the deposit copy.

The image displays two staves of musical notation, labeled LGIO and TOL, in bass clef with a key signature of one sharp (F#) and a 4/4 time signature. Above the staves, arrows point to measures 1, 3, 4, and 5. The LGIO staff shows notes in measures 1, 3, 4, 5, and 6, with a circled syncopated note in measure 3. The TOL staff shows notes in measures 1, 3, 4, 5, and 6, with circled syncopated notes in measures 3 and 5.

Ferrara March 2015 Report, Pgs. 5-6; Stewart Report December 12, 2018 Report, Pgs. 4-5; Stewart Declaration, September 7, 2018, Pgs. 6-12